

REMARKS

Claims 1-38 are pending in this application after this response. Claims 1, 6, 19, and 36-38 are independent. In light of the remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1, 3, 6, 8, 13, 19-21, 28 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Terashita (USP 5,369,463) (hereinafter Terashita '463) in view of Suzuki (Japanese Application Publication No. 09-116792) and further in view of Terashita (USP 4,769,695) (hereinafter Terashita '695); rejected claims 2, 7 and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Nishimura (USP 5,412,487); rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Maurinus (USP 6,222,646); rejected claims 5 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Zamir (USP 6,300,955); rejected claims 9 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Shiota (USP 6,011,547); rejected claims 10, 14-15 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Hirose (USP 5,838,371) and Nishimura; rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Zamir and Nishimura; rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Shiota, Hirose, and Nishimura; and rejected claims 22-23 under 35 U.S.C. § 103(a) as being

unpatentable over Terashita '463 in view of Suzuki and Terashita '695 and further in view of Yamamoto (USP 6,040,825). Applicants respectfully traverse these rejections.

Applicants wish to thank the Examiner for indicating Claims 30-33 include allowable subject matter.

Examiner Interview

Applicants wish to thank the Examiner for the interview conducted on October 26, 2005. During the interview, Applicants' representative directed the Examiner's attention to column 2, lines 15-22 in Terashita '463 and argued that these teachings taught away from the Examiner's combination of the cited references by specifically teaching away from a manual selection of a primary subject. It was agreed that upon the filing of this Reply, the Examiner would withdraw the finality of the outstanding Official Action and update his search. As such, Applicants respectfully request withdrawal of the outstanding rejections.

CONCLUSION

Pursuant to the provisions of 37 C.F.R. § 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to November 14, 2005 in which to file a reply to the Office Action. The required fee of \$120.00 is enclosed herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 14, 2005

Respectfully submitted,

By 

Marc S. Weiner
Registration No.: 32,181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant